



*Office of the United States Attorney
District of Arizona*

José de Jesus Rivera

PRESS RELEASE

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FIVE INDICTED FOR VIOLATIONS OF FEDERAL WILDLIFE LAWS

PHOENIX, ARIZONA – U. S. Attorney José de Jesus Rivera and U.S. Fish and Wildlife Service announced today the indictment of five individuals by a Federal Grand Jury for violations of federal wildlife laws stemming from an investigation dubbed “Operation Navajo Buck”. This is the third indictment brought by the Grand Jury in this case.

The investigation, which began in 1998, focused on several big game guides, based in Utah, Arizona, and New Mexico, who were suspected of unlawfully using aircraft prior to and during hunting seasons to locate deer and elk for hunting clients in Northern Arizona. The investigation also focused on illegal guiding and hunting on the Navajo Indian Reservation.

Indicted was **STEVEN J. STAYNER**, Phoenix, AZ. STAYNER was charged with three felony violations of the Lacey Act, two felony violations of conspiracy to violate the Lacey Act, one misdemeanor violation of the Lacey Act, and five violations of the Airborne Hunting Act. The felony violations of the Lacey Act related to the illegal sale of mule deer taken during unlawful hunting and guiding activities on the Navajo Indian Reservation between 1996 and 1998. The Airborne Hunting Act violations charged relate to the unlawful aerial harassment of mule deer during 1997, 1998, and 1999 on the Navajo Indian Reservation and in other areas of Northern Arizona.

Additionally, **LARY NICOLDS**, Garland, UT, was indicted on one felony count of violating the Lacey Act, and one felony count of conspiracy to violate the Lacey Act. The felony violation of the Lacey

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Act relate to the illegal sale of mule deer taken during unlawful hunting and guiding activities on the Navajo Indian Reservation in 1998.

DANIEL SMITH JR, San Jose, CA, was indicated on one felony violation of the Lacey Act, and one felony violation of conspiracy to violate the Lacey Act. The felony violation of the Lacey Act related to the illegal purchase of mule deer taken during unlawful hunting and guiding activities on the Navajo Indian Reservation in 1998.

DANIEL SMITH III, San Jose, CA, was indicted one felony violation of conspiracy to violate the Lacey Act.

MARK LEFEVRE, Tropic, UT, was indicted one felony violation of conspiracy to violate the Lacey Act.

The Lacey Act is a federal wildlife law which makes it unlawful to transport, sell, receive, acquire or purchase wildlife which was taken, transported, possessed, or sold in violation of State, Federal, or Indian tribal laws or regulations.

The Airborne Hunting Act is a Federal Wildlife law which makes it unlawful to shoot animals from an aircraft or to harass animals with an aircraft. The Airborne Hunting Act Regulations prohibits a person, while on the ground, from taking or attempting to take wildlife by means, aid, or use of an aircraft.

If convicted of the offense charged in the federal indictment for felony violations of the Lacey Act, the maximum penalty is five years imprisonment and a \$250,000 fine. If convicted of the offense charged in the Federal indictment for violations of the Airborne Hunting Act, the maximum penalty is one year imprisonment and a \$100,000 fine. Any aircraft used in violation of the Airborne Hunting Act are subject to seizure and forfeiture. An indictment is simply the method by which a person is charged with criminal activity and an individual's guilt is established only upon conviction.

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The investigation that led to the indictment was conducted by the United States Fish and Wildlife Service, the Arizona Game and Fish Department, and the Navajo Department of Fish and Wildlife. The prosecution is being handled by the U. S. Attorney's Office, District of Arizona, Phoenix, Arizona.

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